

121703  
18351 U.S. PTO

Practitioner's Docket No. D-1191

PATENT

Preliminary Classification:  
Proposed Class: 235  
Subclass: 379

031088 U.S. PTO  
10/738467

121703

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Richard C. Lute, Jr., Jim Booth, Paul Magee, Donald S. Nelson, Jr.

For (title): Cash Dispensing Automated Banking Machine With Improved User Observation Capabilities

1. Type of Application

This transmittal is for an original (nonprovisional) application.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
37 C.F.R. Section 1.8(a) 37 C.F.R. Section 1.10\*

[ ] with sufficient postage as first class mail. [X] as "Express Mail Post Office to Address" Mailing Label No. EV319737952US (mandatory)

TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_\_.

Date: December 17, 2003

Signature

Ralph E. Jocke

(type or print name of person certifying)

\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b). "Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

**3. Papers Enclosed**

**A.** Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

<u>63</u>	Pages of Specification
<u>10</u>	Pages of Claims
<u>24</u>	Sheets of Drawing(s)

**B.** Other Papers Enclosed

<u>6</u>	Pages of declaration and power of attorney
<u>1</u>	Page of abstract
<u>6</u>	Pages of Application Data Sheet
<u>3</u>	Pages of Assignment and Cover Sheet

**4. Declaration or Oath**

Enclosed

Executed by:  
\* inventors

**5. Inventorship Statement**

The inventorship for all the claims in this application is not the same.

An explanation will be provided upon request.

**6. Language**

English

**7. Assignment**

An assignment of the invention to Diebold Self-Service Systems, a division of Diebold, Incorporated is attached. A separate FORM PTO 1595 is also attached.

**8. Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16(c))	43	- 20 =	23 x	\$18.00	\$414.00
Independent Claims (37 CFR 1.16(b))	2	- 3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$290.00	\$0.00

Filing Fee Calculation \$1184.00

**9. Fee Payment Being Made at This Time**

Enclosed	
Filing Fee	\$1184.00
Recording assignment (\$40; 37 C.F.R. Section 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)	\$ 80.00
<b>Total Fees Enclosed</b>	<b>\$1264.00</b>

**10. Method of Payment of Fees**

Charge Account No. 09-0428 (InterBold) in the amount of \$1264.00.  
A duplicate of this transmittal is attached.

## **11. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 09-0428 (InterBold).

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

## **12. Instructions as to Overpayment**

Credit Account No. 09-0428 (InterBold).

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**13. Relate Back**

**A. 35 U.S.C. Section 119(e)**

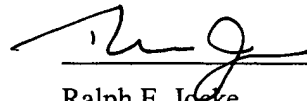
This application claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

**FILING DATE**

**60/434,990**

**12/19/2002**



Ralph E. Joeke  
Registration No. 31,029  
231 South Broadway  
Medina, Ohio 44256  
Phone: 330-721-0000  
Fax: 330-722-6446  
Customer No. 28995